

ASSEMBLY BILL

No. 817

Introduced by Assembly Member Firebaugh

February 22, 2001

An act to amend Section 330b of the Penal Code, relating to gaming.

LEGISLATIVE COUNSEL'S DIGEST

AB 817, as introduced, Firebaugh. Slot machines or devices.

Existing law prohibits possession and sale of slot machines or devices, except in limited instances.

This bill would allow registered manufacturers of slot machines or devices to sell machines made in California to entities legally entitled to operate them in California.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 330b of the Penal Code is amended to
2 read:
3 330b. Possession or keeping of slot machines or devices.
4 (1) It is unlawful for any person to manufacture, repair, own,
5 store, possess, sell, rent, lease, let on shares, lend or give away,
6 transport, or expose for sale or lease, or to offer to repair, sell, rent,
7 lease, let on shares, lend or give away, or to permit the operation
8 of, or for any person to permit to be placed, maintained or kept in
9 any place, room, space or building owned, leased or occupied by
10 him or under his management or control, any slot machine or
11 device as hereinafter defined, or to make or to permit to be made

1 with any person any agreement with reference to any slot machine
2 or device, as hereinafter defined, pursuant to which the user
3 thereof, as a result of any element of hazard or chance or other
4 outcome unpredictable by him, may become entitled to receive
5 any money, credit, allowance, or thing of value or additional
6 chance or right to use such slot machine or device, or to receive any
7 check, slug, token or memorandum entitling the holder to receive
8 any money, credit, allowance or thing of value; provided,
9 however, that ~~this~~ *the limitation does not apply in the following*
10 *instance:*

11 (A) *This section, insofar as it relates to owning, storing,*
12 *possessing, or transporting any slot machine or device as*
13 *hereinafter defined, shall not apply to any slot machine or device*
14 *as hereinafter defined, located upon or being transported by any*
15 *vessel regularly operated and engaged in interstate or foreign*
16 *commerce, so long as such slot machine or device is located in a*
17 *locked compartment of the vessel, is not accessible for use and is*
18 *not used or operated within the territorial jurisdiction of this State.*

19 (B) *Manufacturers registered pursuant to regulations adopted*
20 *by the California Gaming Commission may sell slot machines and*
21 *devices, hereinafter defined, manufactured in California to*
22 *persons and entities legally entitled to operate slot machines and*
23 *devices in California.*

24 (2) Any machine, apparatus or device is a slot machine or
25 device within the provisions of this section if it is one that is
26 adapted, or may readily be converted into one that is adapted, for
27 use in such a way that, as a result of the insertion of any piece of
28 money or coin or other object, or by any other means, such
29 machine or device is caused to operate or may be operated, and by
30 reason of any element of hazard or chance or of other outcome of
31 such operation unpredictable by him, the user may receive or
32 become entitled to receive any piece of money, credit, allowance
33 or thing of value or additional chance or right to use such slot
34 machine or device, or any check, slug, token or memorandum,
35 whether of value or otherwise, which may be exchanged for any
36 money, credit, allowance or thing of value, or which may be given
37 in trade, irrespective of whether it may, apart from any element of
38 hazard or chance or unpredictable outcome of such operation, also
39 sell, deliver or present some merchandise, indication of weight,
40 entertainment or other thing of value.



1 (3) Every person who violates this section is guilty of a
2 misdemeanor.

3 (4) It is expressly provided that with respect to the provisions
4 of Section 330b only of this code, pin ball, and other amusement
5 machines or devices which are predominantly games of skill,
6 whether affording the opportunity of additional chances or free
7 plays or not, are not intended to be and are not included within the
8 term slot machine or device as defined in said Section 330b of this
9 code.

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